

# **INDISPOSABLE LIVE**

**Back to Basics: Defining  
Reuse for Policymakers**  
*and implications for EPR & DRS*



# Growing Recognition: Reuse Wins

- Reusable food serviceware beats single-use alternatives on **every environmental measure** (climate, water, land use, waste, energy, pollution, etc.).
- Over their life-cycle, reusables have **lower greenhouse gas emissions** compared to disposable alternatives, including recyclables and compostables.
- Reuse **reduces overall pollution, chemical exposure, and litter.**
- Reuse services create **good, green, local jobs.**



# Increasing Inclusion: Reuse in State Policy



## Reuse in US EPR Laws (so far):



	ME	OR	CO	CA
<i>Reusables exempt</i>		<b>Pay once</b>	✓	✓
<i>Incentives thru eco-modulated fees</i>	✓	<b>LIKELY</b>	✓	✓
<i>Explicit targets</i>	✓		<b>MAYBE</b>	✓
<i>Direct funding for infrastructure/systems</i>	<b>LIKELY</b>	✓		<b>LIKELY</b>
<i>Education &amp; outreach</i>	<b>LIKELY</b>		✓	✓
<i>Needs Assessment identifies reuse opps</i>	✓		✓	✓

## Reuse in US EPR Laws (needs assessments & study bills):

	<b>MD</b> (study bill w/ PRO)	<b>IL</b> (study bill)	<b>NH</b> (study bill)
<i>Reusables exempt</i>	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>
<i>Incentives thru eco-modulated fees</i>	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>
<i>Explicit targets</i>	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>
<i>Direct funding for infrastructure/systems</i>	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>
<i>Education &amp; outreach</i>	<i>n/a</i>	<i>n/a</i>	<i>n/a</i>
<b>Needs Assessment identifies reuse opps</b>	✓	✓	✗



**\$500k per year** in unredeemed deposits spent on activities and infrastructure to support reusable and refillable beverage containers.

**Also:** New Commingling Cooperative (PRO) contracts for a study on what it will take to achieve 5% or 10% reusable/refillable beverage containers by 2030, 2040, or 2050.

Budget Act of 2022 appropriated **\$25 million** "to award grants, loans, payments or contracts to support a deposit-return system for reusable containers," plus new operational language in the updated law.

**California**



# Principles for Reuse in EPR & DRS:

1. Institutionalize reuse through producer funding and financial incentives.
2. Mandate and measure reuse.
3. Enact DRS and EPR as complementary policies.
- 4. Clearly define “reusable” packaging.**
5. Center justice and equity in process and content.
6. Allow flexibility; avoid barriers to reuse.

The term “reuse” means extending the life of a product, packaging, or resources by either using it more than once for the same or a new function with little to no processing, or repairing it so it can be used longer, sharing or renting it, or selling or donating it to another party. - **Federal Zero Waste Development and Expansion Act of 2017**

The term **‘refillable’ or ‘reusable’**, with respect to a beverage container or covered product, means that the beverage container or covered product is—

- (A) explicitly designed and marketed to be used—
  - (i) by a producer or consumer, multiple times for the same or a similar product; or
  - (ii) by a producer, for another purposeful packaging use in a supply chain;
- (B) designed for durability to function properly in original condition for multiple uses;
- (C) mechanically feasible for refill or reuse in current United States market conditions;
- (D) feasible for refill or reuse for such number of cycles as the Administrator determines to be appropriate to achieve a significant environmental benefit across the lifecycle of the beverage container or covered product, as compared to a single-use beverage container or covered product; and
- (E) part of a reuse and refill system in the United States under which not less than 95 percent of beverage containers are returned to distributors for reuse and refill. - **Break Free From Plastic Pollution Act of 2023**

"Reuse" or "reusable" means, with respect to a covered material, that the covered material (A) is capable of being **refilled or reused** for its original purpose and the responsible party or a designated third party for that covered material provides a program for the consumer to refill the covered material; or (B) the responsible party or a designated third party for that covered material provides a program where the covered material is collected and refilled or reused by the responsible party or another responsible party, provided such program meets or exceeds any recovery, recycling and reuse performance goals established pursuant to this section and such covered materials are designed to be reused and refilled within the material's life cycle to the break-even point with a comparable discarded covered material - **CT Gov's Bill 6664 (2023)**



## From the Reuse Solutions Network:

**Reusable product/packaging:** A *product or packaging that is designed to be **refillable or returnable** and is part of a **system** that achieves multiple uses, equitable access, reduced waste, and net benefits for the health of all beings and the planet.*



# From Zero Waste Europe:

## Refillable packaging

A specific waste prevention measure where a **consumer-owned container is designed to be refilled multiple times**. While it performs a packaging function, **such a container is not considered “packaging” but rather a product**, since it belongs to the consumer and falls under its responsibility. It includes operations such as refill on-the-go (i.e. fill your container in a restaurant or shop, or refill your water bottle in a public fountain) and refill at home (i.e. from concentrates such as SodaStream).

## Reusable packaging

Packaging which has been conceived, designed, and placed on the market to accomplish, within its lifecycle, **as many trips or rotations as possible in a system for reuse**; and whose actual return and reuse is made possible by adequate logistics and promoted by suitable incentive systems. The **ownership of the packaging lies with a third-party actor such as a reuse system operator, a pool system, or the producers themselves**.

## Systems for reuse

Organisational, technical and/or financial arrangements, together with incentives, that enable the reuse of packaging.



# REFILL

At home



On the go



Refill

packaging refilled by user

Return

packaging returned to business



# RETURN

# From Upstream:

## Returnable Reusable Packaging:

Packaging **designed to be *recirculated*** multiple times for the same or similar purpose **in its original format** in a **system** for reuse, that is **owned by producers or a third party** and is **returned** to producers or a third party after each use.



## Refillable Packaging:

Packaging designed to be **refilled** by **consumers** multiple times for the same or similar purpose **in its original format**, and that is ***sold or provided to consumers once*** for the duration of its usable life.

# Common challenges with refillables



- Requires continuous purchasing, usually in disposable packaging
- Requires consumer behavior change - often significant
- Takes up more space in retail settings
- Cannot guarantee reduction in packaging overall

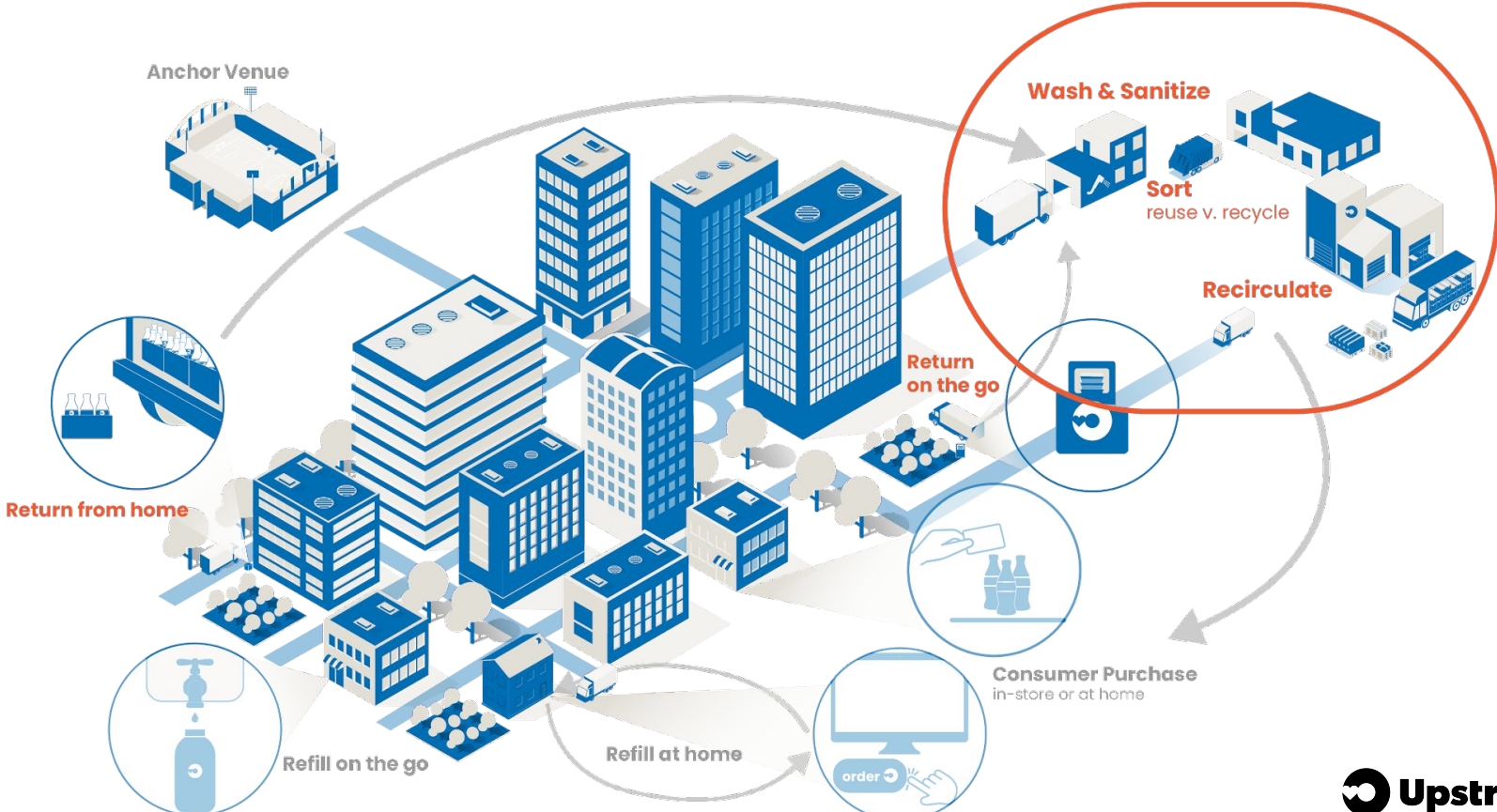


# Advantages of **Returnables**

- Closely map to current packaging systems (filling, sales, shopping experience)
- Avoid common challenges (concerns about hygiene, retail space, customer convenience)
- Applicable across many sectors → easy to scale over time



# What will it take to scale returnable reusables?



# EPR/DRS Implications

## Exemptions:

Neither **returnable** nor **refillable** packaging should be exempt from EPR or DRS schemes.

## Incentives:

Provide greater incentives to producers who choose **returnable** reusable packaging than to producers who choose **refillable** packaging.





# EPR/DRS Implications

## Targets:

Set distinct targets for **returnable** reusable packaging, *with minimum return rates*

- Allow time to reach these targets
- Make them enforceable - include penalties for missed targets

## Reporting:

Require separate reporting on the **returnable** & **refillable** packaging that is placed on the market each year (and require reporting on return rates)



# RECAP!

- **Yes** to reuse in EPR & DRS – see [Upstream's Principles](#)
- When defining reuse: Distinguish between **Returnable & Refillable** packaging
- Emphasize **Returnables** with incentives & enforceable targets



# Welcome to our panelists



**Matt Littlejohn**  
Oceana



**Nathan Dufour**  
Zero Waste Europe

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